THE HONOURABLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No :24350 of 2007

DATED:16-11-2007

BETWEEN:

K.Sita Mahalaxmi.

..... PETITIONER

AND

The Government of Andhra Pradesh,
Rep., by its Revenue Divisional Officer,
Vijayawada,
Krishna District & another.

.....RESPONDENTS

ORDER:

Heard learned counsel appearing for the petitioner as well as the learned Government Pleader for Revenue appearing for the respondents.

2. Petitioner seeks a writ of mandamus declaring the action of the 2nd respondent in issuing proceedings in RCA/332/2006, dated 12-07-2007, as illegal and arbitrary.

3. It is the case of the petitioner that as against the order of the 2nd respondent-Tahsildar, G-Konduru mandal, Krishna District in RCA332/2006, dated 12-07-2007, in resuming the lands of an extent of Ac.0.61 cents in RS.No.508/M;
Ac.0.92 cents in Sy.No.508/E; and Ac.1.27 cents in Sy.No.508/K of Velagaleru village, G-Konduru mandal, Krishna District on the ground that the said lands are the assigned lands in favour of one Manchinilla Pedagopaiah and Gorre Chinthaiah respectively, but the said assignees have transferred the said lands in favour of the petitioner in contravention of sub-Section 2 of Section 3 of the A.P.Assigned Lands (Prohibition of Transfers) Act, 1977 (for brevity, 'the Act'), petitioner filed an appeal on 15-10-2007 before the 1st respondent-Revenue Divisional Officer, Vijayawada and the same was numbered as A102856/07. It is further stated that even before the disposal of the said appeal respondents are taking steps to dispossess the petitioner.

4. Having regard to the facts and circumstances of the case,

and without expressing any opinion on the merits of the case, 1st respondent is directed to consider and dispose of the said appeal in A102856/07, and pending disposal of the appeal *status quo* obtaining as on today with regard to possession shall be maintained.

5. Accordingly, Writ Petition is disposed of as indicated above. There shall be no order as to costs.

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V.ESWARAIAH,J

16th November, 2007.

Note:

Furnish C.C. of the order by
19-11-2007.

B/o
Tsy